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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,739	12/31/2001	Mark White		3705

7590 02/12/2003  
SIMON, GALASSO & FRANTZ PLC.  
P.O. Box 26503  
Austin, TX 78755-0503

EXAMINER

RUTLEDGE, DELLA J

ART UNIT	PAPER NUMBER
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2851

DATE MAILED: 02/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/036,739

Applicant(s)

WHITE ET AL.

Examiner

D. Rutledge

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.

2a) ☐ This action is FINAL.

2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) 1-57 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) ☒ Claim(s) 1-42 is/are allowed.

6) ☒ Claim(s) 43,51-54,56 and 57 is/are rejected.

7) ☒ Claim(s) 44-50 and 55 is/are objected to.

8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on 16 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some \* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.

4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

### *Declaration and Drawings*

1. The Declaration and Drawings filed 16 April 2002 have been "Entered".

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 43, 51 – 54, 56, and 57 are rejected under 35 U.S.C. 102(e) as being anticipated by Stoffel et al. (US 6,412,990). Stoffel et al. have a photographic film processing system (10) comprising an applicator station (50) having applicator (58) for applying a coating to the donor web (24). The donor web (24) contacts the photographic film (13) and the coated film is heated in the processing station (26) by the heater (96). A transport system (30) transports the film and a digital scanner (40) scans the developed film. The images are displayed to the customer on display device (42). A printer (80) prints the digital images. The applicator system (50) comprises a replaceable cartridge (51) and a solution reservoir (52). The photographic film processing may comprise a self-service kiosk.

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***Allowable Subject Matter***

4. Claims 44 – 50 and 55 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Stoffel et al. reference does not teach or suggest the temperature to which the photographic material is heated, controlling the humidity or having a developing tunnel.

5. Claims 1 – 42 are allowed.

The Stoffel et al. reference does not disclose or teach having a photographic film processing system having a developing tunnel and controlling the temperature and humidity as claimed. Nor does Stoffel et al. disclose or teach a photographic film processing system having an application station and a developer station as claimed.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Feumi Jantou et al. (US 6,099,174), Kobayashi (US 6,213,657), Sanada et al. (US 6,241,401), Kobayashi (US 6,328,488) disclose photographic film processing systems having a means to coat the film with developing solution and heat the film during the development process.

***Response Data***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. Rutledge whose telephone number is (703) 308-1697. The examiner can normally be reached on Mon - Thurs, 6:00 AM - 2:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russell Adams can be reached on (703) 308-2847. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

  
D. Rutledge  
Primary Examiner  
Art Unit 2851

dr  
February 6, 2003